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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,383	11/13/2003	Shih Hao Hsu	P5192	3955

7590 01/06/2005
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EXAMINER

OKEZIE, ESTHER O

ART UNIT	PAPER NUMBER
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3654

DATE MAILED: 01/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/714,383	Applicant(s) HSU, SHIH HAO	
	Examiner Esther O. Okezie	Art Unit 3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,4-7 and 9-18 is/are rejected.
- 7) ☒ Claim(s) 2,3 and 8 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.84(h)(5) because Figure 1 show(s) modified forms of construction in the same view. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

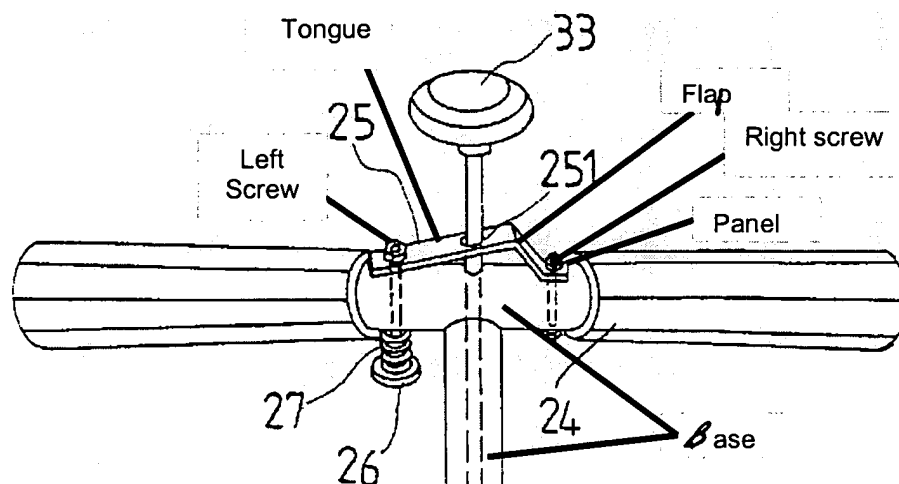
Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,5-7, and 11-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Hus.



1. Regarding claim 1 Hus discloses an agricultural device comprising: a base (midsection between handles 24 connected to tube 20) including at least one orifice formed therein (orifice 251 through which handgrip 33 fits), a gardening tool including a plate (41) having at least one pin extended therefrom (post 71 connected to post 30 by couplers 31 and 45), and engageable through said at least one orifice of said base, and a latch (25 along with attached screws, nuts, spring 27, and knob 26) to detachably

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latch said gardening tool to said base, and thus to secure said gardening tool to said base.

2. Regarding claim 5 Hus discloses the agricultural device as claimed in claim 1, wherein said latch includes a knob (26) provided thereon for moving said latch relative to said base (see figures 1-8).

3. Regarding claim 6 Hus discloses the agricultural device as claimed in claim 1, wherein said base includes a bore formed therein (251) and a handgrip (33) slidably engaged through said bore of said base.

4. Regarding claim 7 Hus discloses the agricultural device as claimed in claim 6, wherein said gardening tool includes a board (panel 53) slidably attached thereto, and a rod (post 71) extended from said board and moved in concert with said board, and secured to said hand grip 33 by couplers 31 and 57 and post 30, to allow said board and said rod to be operated by said hand grip (see figures 1,5 and 6).

5. Regarding claim 11 Hus discloses the agricultural device as claimed in claim 1, wherein said latch includes an opening formed therein (left and right nuts with holes formed for respective screws; see midsection of handles 24, figures 1-8), said base includes a stop (25) secured thereto and slidably received in said opening of said latch (opening in nut for screws), to guide said latch to move relative to said base.

6. Regarding claim 12 Hus discloses the agricultural device as claimed in claim 11, wherein said base includes a cavity formed therein (bores through which left and right screws move), said stop includes a tongue (leftmost flat projection 25 having a

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projection (screw extending into knob 26) extended therefrom, and engageable into said cavity of said base, to anchor said stop to said base.

7. Regarding claim 13 Hus discloses the agricultural device as claimed in claim 12, wherein said stop includes a panel (rightmost projection of 25 by which right screw and nut are attached) having a flap extended therefrom (midsection between leftmost projection and rightmost projection of 25), and said tongue is extended from said flap (see figures 1-8).

8. Regarding claim 14 Hus discloses the agricultural device as claimed in claim 11, wherein said stop includes a conduit engaged onto said base (left screw above knob 26), and secured to said base with a fastener (upper left nut above left screw).

9. Regarding claim 15 Hus discloses the agricultural device as claimed in claim 1, further comprising a means for biasing said latch relative to said base (spring 27 between base midsection of handles 24 and latch knob 26).

10. Regarding claim 16 Hus discloses the agricultural device as claimed in claim 15, wherein said biasing means includes a spring (27) attached to said base and engaged with said latch, to bias and to move said latch relative to said base.

11. Regarding claim 17 Hus discloses the agricultural device as claimed in claim 16, wherein said latch includes at least one extension (knob 26) extended therefrom, and engaged with said spring which may bias and move said latch relative to said base.

12. Regarding claim 18 Hus discloses the agricultural device as claimed in claim 16, wherein said base includes a conduit secured thereto (left screw), and said spring (27) is engaged onto said conduit.

13. Claims 1,4, 6, 9, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Gottfried.

14. Regarding claim 1 Gottfried discloses an agricultural device comprising: a base (body 10) including at least one orifice formed therein (bore through which handgrip 33 fits), a gardening tool including a plate (piston 26) having at least one pin extended therefrom (vertical rod 25), and engageable through said at least one orifice of said base, and a latch (cap 12) to detachably latch said gardening tool to said base, and thus to secure said gardening tool to said base.

15. Regarding claim 4 Gottfried discloses the agricultural device as claimed in claim 1, wherein said latch includes a channel formed therein (bayonet slots 10a), said base includes a guide member (pin connected to body 10 within bayonet slots 10a) secured thereto and slidably received in said channel of said latch, to guide said latch to move relative to said base (see figure 1).

16. Regarding claim 6 Gottfried discloses the agricultural device as claimed in claim 1, wherein said base includes a bore formed therein (inner portion of tube body 10) and a handgrip (33) slidably engaged through said bore of said base.

17. Regarding claim 9 Gottfried discloses the agricultural device as claimed in claim 6, wherein said base (body 10) includes a handle (13) attached thereto and having an aperture (hole atop cap 12) formed therein to slidably receive said handgrip (33).

18. Regarding claim 10 Gottfried discloses the agricultural device as claimed in claim 9, wherein said handle (13) includes a root portion attached to said base (top of cap 12),

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said latch includes a space formed therein to receive said root portion of said handle
(cap 12).

Allowable Subject Matter

Claims 2, 3, and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Esther O. Okezie whose telephone number is (703) 305-0433. The examiner can normally be reached on Mon-Fri 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Katherine A Matecki can be reached on (703) 308-2688. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Kathy Matecki
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